

REMARKS/ARGUMENTS

Applicants thank the Examiner for his careful review of this application. Claims 1, 2, 4-6, and 8-17 have been rejected. Claims 1 and 12 have been amended. Applicants respectfully request reconsideration of the application in view of the above amendments and the following remarks submitted in support thereof.

Obviousness Rejections under 35 U.S.C. §103(a)

Claims 1, 6, 8, and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,731,954 to Cheon in view of U.S. Patent No. 4,252,185 to Kosson. Claims 9 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cheon in view of Kosson and U.S. Patent No. 6,175,495 to Batchelder. Furthermore, claims 1, 2, 4-5, and 8-17 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,019,165 to Batchelder in view of Batchelder '495 and to U.S. Patent No. 5,787,971 to Dodson. As will be fully explained below, the combination of Cheon in view of Kosson does not raise a prima facie case of obviousness against amended independent claim 1, and the combination of Batchelder '165 in view of Batchelder '495 and Dodson does not raise a prima facie case of obviousness against amended independent claims 1 and 12.

Although the Applicants believe that the original pending claims are defined over the prior art of record, the Applicants have amended independent claims 1 and 12 to clarify that a pump is external to a chamber. Furthermore, Applicants have amended independent claim 1 to further clarify that the pump is configured to circulate a cooling fluid within the chamber, and have amended independent claims 1 and 12 to further clarify that a first surface of a base is attached to a surface of a heat source.

Neither Kosson, Cheon, Batchelder '495, Batchelder '165, nor Dodson teach or suggest a pump external to the chamber. Specifically, Batchelder '495 discloses a "rotor (84) and thermal transport fluid is contained in a cavity (90) in a housing (88)" (col. 8, lines 14-15). Batchelder '165 also discloses a "rotatable impeller (54) is trapped in coaxial cavities (220) in the channel forming sheet (210) and the upper stamped plate (204)" (col. 7, lines 46-48). Similarly, Cheon discloses "a pump P is positioned *inside* the casing 50 of the reservoir 48" (col. 5, lines 58-59). Both Dodson and Kosson do not disclose a pump that circulates fluid. Accordingly, the references cited by the Examiner only teach or suggest a pump located inside a chamber. In contrast, amended independent claims 1 and 12 define the pump to be *external* to the chamber. Since the references disclose only internal pumps, the references cannot reasonably be considered to teach or suggest a pump that is external to the chamber, as defined in amended independent claims 1 and 12.

To establish a prima facie case of obviousness, the prior art references must teach or suggest all the claim limitations (see M.P.E.P. §2143). Here, in view of the disclosure of only internal pumps, the references as combined do not teach all the features of amended independent claims 1 and 12. Accordingly, for the above-stated reasons, Applicants submit that amended independent claim 1 is patentable under 35 U.S.C. §103(a) over Cheon in view of Kosson. Similarly, for the above-stated reasons, amended independent claims 1 and 12 are patentable under 35 U.S.C. §103(a) over Batchelder '165 in view of Batchelder '495 and Dodson. Claims 2, 4-6, 8-11, and 13-17, each of which depends directly or indirectly from amended independent claim 1 or amended independent claim 12, are likewise patentable under 35 U.S.C §103(a) over Cheon in view of Kosson, and Batchelder '165 in view of Batchelder '495 and Dodson for at least the same reasons set forth for amended independent

claims 1 and 12. As a result, Applicants respectfully request the Examiner to withdraw the 35 U.S.C. §103(a) rejection for claims 1, 2, 4-6, and 8-17.

Conclusion

In view of the foregoing, the Applicants respectfully submit that all the acknowledged pending claims 1, 2, 4-6, and 8-17 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 749-6900 ext. 6924. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP302). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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